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(SM)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	D	ATTORNEY DOCKET NO.
08/899,427	07/24/97	ABRAMOVITZ		

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IP ADMINISTRATION  
LEGAL DEPARTMENT 20BN  
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TRANEXAMINER

ART UNIT 53

PAPER NUMBER

12/11/98

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
08/899,427

Applicant(s)  
ABRAMOVITCH et al

Examiner  
THANG V. TRAN

Group Art Unit  
2753



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-31 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-31 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2753

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Rijnsburger.

Regarding claim 1-9, see Figs. 1a-3c of Rijnsburger which show an optical recording disk comprising a recording layer (6) having servo tracks (4); and clock reference structure formed a long the track (see Fig. 1c, 1d or 3) thereby permitting data mark (44) recorded on the layer at an indeterminate length.

Regarding claims 10-31, see Figs. 1-8 of Rijnsburger which show an optical disk (1) mounted on a recorder (see Fig. 4); a first transducer (optical head) following a servo track contained in the optical disk; a clock reference structure (see Figs. 1c, 1d or 3) formed a long the track and cause the transducer to produce a clock reference; means (68, 54-56) for recording data marks on the recording layer; and a write clock (66) which determines the placement of data mark and being phase locked to the to the reference clock signal; and an optical head is also interpreted as second

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optical transducer for producing data corresponding to the data mark recorded on the recording medium. (See respective disclose of Fig. 4 for more details).

3. Claims 1-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Maeda et al. (US 5,315,571).

Regarding claim 1-9, see Figs. 4 and 5 of Maeda et al which show an optical recording disk comprising a recording layer having servo tracks (102); and clock reference structure formed a long the track thereby permitting data mark inherently recorded on the layer at an indeterminate length.

Regarding claims 10-31, see Figs. 1-2 of Maeda et al which show an optical disk (101) mounted on a recorder (see Fig. 4); a first transducer (optical head) following a servo track contained in the optical disk; a clock reference structure (see Fig. 5) formed a long the track and cause the transducer to produce a clock reference (b); means (103, 104) for recording data marks on the recording layer; and a write clock (e) which determines the placement of data mark and being phase locked to the to the reference clock signal (see Fig. 2); and second optical transducer (optical head 3 in Fig. 3) for producing data corresponding to the data mark recorded on the recording medium (see respective disclose of Figs. 1-9 for more details).

4. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Carasso et al (US 5,683,365).

Regarding claim 1-9, see Figs. 7b-7e of Carasso et al. which show an optical recording disk comprising a recording layer (6) having servo tracks (4); and clock reference structure formed a


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long the track thereby permitting data mark inherently recorded on the layer at an indeterminate length.

Regarding claims 10-31, see Figs. 6-13 of Carasso et al which show an optical disk (1) mounted on a recorder (see Fig. 6b); a first transducer (optical head 18) following a servo track contained in the optical disk; a clock reference structure (see Fig. 7b-7e) formed along the track and cause the transducer to produce a clock reference (output of 28); means (25, 15-18) for recording data marks on the recording layer; and a write clock (output of PLL 29) which determines the placement of data mark and being phase locked to the reference clock signal in the PLL 29; and second optical transducer (optical head 36 in Fig. 6c) for producing data corresponding to the data mark recorded on the recording medium. (See respective disclosure of Figs. 16-13 for more details).

#### *Cited References*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited reference relates to an optical recording and reproducing apparatus for an optical disk comprising servo tracks having clock reference structure formed along the track.
6. Any inquiry concerning this communication should be directed to Tran, Thang at telephone number (703) 308-151.



**THANG V. TRAN**  
**PRIMARY EXAMINER**